

D. GILL SPERLEIN (172887)  
THE LAW OFFICE OF D. GILL SPERLEIN  
584 Castro Street, Suite 879  
San Francisco, California 94114  
Telephone: (415) 404-6615  
Facsimile: (415) 404-6616

[gill@sperleinlaw.com](mailto:gill@sperleinlaw.com)

Attorney for Plaintiff  
IO GROUP, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IO GROUP, INC. d/b/a TITAN )  
MEDIA, ) CASE NO.: 10-4378 (EDL)  
Plaintiff, )  
vs. )  
ELVIS BARNETT, CHERYL )  
CALHOUN, ANNA ARAGON, KANG )  
LI, YURY KALENIK, LEE WILSON, )  
MICHAEL WELCH, DAVID ) AMENDED<sup>1</sup> REQUEST TO ENTER  
SALARY, FERNANDO OBERTI, ) DEFAULT AS TO DEFENDANTS:  
LASONYA PITTMAN, PETE )  
WESSON, MONICA PAGE, MAYRA )  
GONZALEZ, GORDON J. BROOM, )  
ROGER WOOWARD, JIM SORIANO, )  
JOHN MONTGOMERY, PEDRO ) MICHAEL WELCH  
OLIVERA, MIKE MURRAY, ) JOHN MONTGOMERY  
TIFFANY KENT, JOHN CAIRE, ) PEDRO OLIVERA  
DAVID HOLIHAN, RICHARD ZHU, ) DAVID HOLIHAN  
JERRY GUTHRIE, LISELOTTE ) and  
ACEVEDO, and YOUNG LIN, ) YOUNG LIN  
Defendants. )

<sup>1</sup> This Amended Request to Enter Default replaces Plaintiff's early filing which incorrectly included Roger Woodward. Plaintiff has previously voluntarily dismissed Mr. Woodward from this action.

1  
2 TO: THE CLERK OF THE ABOVE-ENTITLED COURT  
3

4 Plaintiff Io Group, Inc., hereby requests that the Clerk of the above-entitled Court  
5 enter default in this matter against Defendants MICHAEL WELCH, JOHN  
6 MONTGOMERY, PEDRO OLIVERA, DAVID HOLIHAN, and YOUNG LIN, on the  
7 ground that said Defendants have failed to respond to the First Amended Complaint within  
8 the time prescribed by the Federal Rules of Civil Procedure.

9 On May 3, 2011, Plaintiff served the Summons and First Amended Complaint in  
10 this matter via certified mail with return receipt required on Defendants MICHAEL  
11 WELCH, JOHN MONTGOMERY, PEDRO OLIVERA, DAVID HOLIHAN, and  
12 YOUNG LIN, all of whom reside outside the State of California. Sperlein Declaration at ¶  
13 2.

14 Under California Code of Civil Procedure § 415.40, service became complete ten  
15 days after mailing – May 13, 2011. Defendant's responsive pleading became due after an  
16 additional twenty-one days – June 3, 2011.

17 Defendants MICHAEL WELCH, JOHN MONTGOMERY, PEDRO OLIVERA,  
18 DAVID HOLIHAN, and YOUNG LIN Antelope have not filed responsive pleadings in  
19 response to the First Amended Complaint. *Id.* at ¶ 4.

20 The above-stated facts are set forth in the accompanying declaration of Gill  
21 Sperlein, filed herewith.

22 Dated: June 7, 2011

23 Respectfully Submitted,

24  
25 /s/ Gill Sperlein  
26 GILL SPERLEIN  
27 GENERAL COUNSEL, IO GROUP, INC.  
28 Attorney for Plaintiff Io, Group, Inc.